Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the

application. An identifier indicating the status of each claim is provided.

Listing of Claims

1-36. (Canceled)

37.   (Currently Amended) An apparatus for determining a refund

comprising:

accessing means for accessing content data, some of the content data

including advertising data;

transmission means for transmitting, via a network, selected content data to

one or more user locations, in response to a request from the one or more user locations for

the selected content data; ~~and~~

calculating means for calculating a refund quantity as a function of a

number of transmissions of the selected content data and whether the selected content

included advertising data; and

determination means for determining which of a plurality of levels of an

entitled refund the refund quantity translates to,

wherein said plurality of levels of an entitled refund includes a fee credit

and merchandise.

38.   (Previously Presented) The apparatus according to claim 37,

wherein the request from the one or more user locations includes an indication to include

advertising data with the content data.

39.   (Previously Presented) The apparatus according to claim 37,

wherein the request from the one or more user locations includes an indication to exclude

advertising data from the content data.

40.   (Previously Presented) The apparatus according to claim 37,

wherein the calculating means calculates the refund quantity as a function of connection

fee data.

41.   (Previously Presented) The apparatus according to claim 37,

wherein the calculating means calculates the refund quantity as a function of use fee data.

42.   (Previously Presented) The apparatus according to claim 37,

wherein the calculating means calculates a credit quantity as a function of the refund

quantity.

43.   (Previously Presented) The apparatus according to claim 42,

wherein the credit quantity is applied to one or more purchases over the network.

44.   (Previously Presented) The apparatus according to claim 37,

wherein the calculating means calculates an accumulation quantity as a function of one or

more refund quantities.

45.   (Previously Presented) The apparatus according to claim 37, further

comprising:

generating means for generating content data that is accessed by the

accessing means,

wherein the generating means positions the advertising data at one or more

particular region of the content data.

46.   (Previously Presented) The apparatus according to claim 45,

wherein the region is a head portion.

47.   (Previously Presented) The apparatus according to claim 37,

wherein the calculating means calculates a contribution quantity as a function of a

contribution indication.

48.   (Currently Amended) A method for determining a refund

comprising the steps of:

accessing content data, some of the content data including advertising data;

transmitting, via a network, selected content data to one or more user

locations, in response to a request from the one or more user locations for the selected

content data; ~~and~~

calculating a refund quantity as a function of a number of transmissions of

the selected content data and whether the selected content included advertising data; and

determining which of a plurality of levels of an entitled refund the refund

quantity translates to,

wherein said plurality of levels of an entitled refund includes a fee credit

and merchandise.

49.   (Previously Presented) The method according to claim 48, wherein

the request from the one or more user locations includes indicating inclusion of advertising

data with the content data.

50.   (Previously Presented) The method according to claim 48, wherein

the request from the one or more user locations includes indicating exclusion of advertising

data from the content data.

51.   (Previously Presented) The method according to claim 48, wherein

the calculating step calculates the refund quantity as a function of connection fee data.

52.   (Previously Presented) The method according to claim 48, wherein

the calculating step calculates the refund quantity as a function of use fee data.

53.   (Previously Presented) The method according to claim 48, wherein

the calculating step calculates a credit quantity as a function of the refund quantity.

54.   (Previously Presented) The method according to claim 53, further

comprising applying the credit quantity to one or more purchases over the network.

55.   (Previously Presented) The method according to claim 48, wherein

the calculating step calculates an accumulation quantity as a function of one or more refund

quantities.

56.   (Previously Presented) The method according to claim 48, further

comprising the steps of:

generating the content data that is accessed; and

positioning the advertising data at one or more particular regions of the

content data.

57.   (Currently Amended) The method according to ~~claim 48~~ claim 56,

wherein the region is a head portion.

58.   (Previously Presented) The method according to claim 48, further

comprising the step of calculating a contribution quantity as a function of a contribution

indication.

59.   (Currently Amended) A program, for determining a refund, stored

on a computer-readable medium comprising:

program code for accessing content data, some of the content data including

advertising data;

program code for transmitting, via a network, selected content data to one or

more user locations, in response to a request from the one or more user locations for the

selected content data; and

program code for calculating a refund quantity as a function of a number of

transmissions of the selected content data and whether the selected content included

advertising data; and

program code for determining which of a plurality of levels of an entitled

refund the refund quantity translates to,

wherein said plurality of levels of an entitled refund includes a fee credit

and merchandise.

60.   (Previously Presented) The program according to claim 59, wherein

the request from the one or more user locations includes an indication to include

advertising data with the content data.

61.   (Previously Presented) The program according to claim 59, wherein the request from the one or more user locations includes an indication to exclude advertising data from the content data.

62.   (Previously Presented) The program according to claim 59, wherein the program code for calculating calculates the refund quantity as a function of connection fee data.

63.   (Previously Presented) The program according to claim 59, wherein the program code for calculating calculates the refund quantity as a function of use fee data.

64.   (Previously Presented) The program according to claim 59, wherein the program for calculating calculates a credit quantity as a function of the refund quantity.

65.   (Previously Presented) The program according to claim 64, further comprising program code for applying the credit quantity to one or more purchases over the network.

66.   (Previously Presented) The program according to claim 59, wherein the program code for calculating calculates an accumulation quantity as a function of one

or more refund quantities.

67.   (Previously Presented) The program according to claim 59, further

comprising:

program code for generating content data that is accessed,

program code for positioning the advertising data at one or more particular

regions of the content data.

68.   (Previously Presented) The program according to claim 67, wherein

the particular region is a head portion.

69.   (Previously Presented) The program according to claim 59, further

comprising program code for calculating a contribution quantity as a function of a

contribution indication.

70-96. (Canceled)